

AO 440 (Rev. 12/09) Summons in a Civil Action

JUDGE RAKOFF

UNITED STATES DISTRICT COURT

for the

Southern District of New York

WDIG Mobile, LLC

Plaintiff

v.

Digital Communication Warehouse Inc.

Defendant

Civil Action No. **11 CIV 3472**

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Digital Communication Warehouse Inc.
6186 Ridge Avenue
Philadelphia, PA 19128

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Schwartz & Thomashower LLP
15 Maiden Lane, Suite 705
New York, NY 10038
(212) 227-4300

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

RUBY J. KRAJICK

CLERK OF COURT



Signature of Clerk or Deputy Clerk

Date: **MAY 20 2011**

USM-285 is a 5-part form. Fill out the form and print 5 copies. Sign as needed and route as specified below.

U.S. Department of Justice
United States Marshals Service**PROCESS RECEIPT AND RETURN**
See "Instructions for Service of Process by U.S. Marshal"PLAINTIFF
WDIG MOBILE, LLCCOURT CASE NUMBER
11 CIV 3472DEFENDANT
DIGITAL COMMUNICATION WAREHOUSE, INC.TYPE OF PROCESS
SUMMONS & PETITION**SERVE
AT**

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN

Stuart LaCheen, President, DIGITAL COMMUNICATION WAREHOUSE, INC.

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

484 Leverington Avenue, Philadelphia, PA 19128

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW

Rachel Schwartz, Esq.
Schwartz & Thomashower LLP
15 Maiden Lane, Suite 705
New York, NY 10038-5120Number of process to be
served with this Form 285

1

Number of parties to be
served in this case

1

Check for service
on U.S.A.

n/a

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses,
All Telephone Numbers, and Estimated Times Available for Service):

Fold

Fold

ALTERNATE ADDRESSES:

6186 Ridge Ave., Philadelphia, PA 19128 (Business Address)

519 Conshohocken State Road, Narberth, Pennsylvania (Home Address)

Signature of Attorney or other Originator requesting service on behalf of:

☒ PLAINTIFF☐ DEFENDANT

TELEPHONE NUMBER

212 227 4300

DATE

6/6/11

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINEI acknowledge receipt for the total
number of process indicated.
(Sign only for USM 285 if more
than one USM 285 is submitted)

Total Process

Pi

District of
Origin

No. SH

District to
Serve

No. SH

Signature of Authorized USMS Deputy or Clerk

D. Baergen

Date

6/7/11

I hereby certify and return that ☐ I have personally served, ☒ I have legal evidence of service, ☐ I have executed as shown in "Remarks", the process described
on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)

KIM THOMPSON (OFFICE MANAGER)

☐ A person of suitable age and discretion
then residing in defendant's usual place
of abode

Address (complete only different than shown above)

Date

6-22-11

Time

4:25

☐ am
☒ pm

Signature of U.S. Marshal or Deputy

Amy V. Hylt

Service Fee

Total Mileage Charges
including endeavors

Forwarding Fee

Total Charges

Advance Deposits

Amount owed to U.S. Marshal or
(Amount of Refund*)

\$0.00

REMARKS: 215 483-2200

1st ATTEMPT 6-20-11 2:40 (LEFT NOTE TO CALL).

PRINT 5 COPIES:

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment,
if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

11-3472-f

Form USM 285
Rev. 12-80